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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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10/570,739

09/14/2006

Kazuhiro Hama

CU-4717 RJS

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26530 7590 08/28/2009
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EXAMINER

ROBINSON, ELIZABETH A

ART UNIT

PAPER NUMBER

1794

MAIL DATE

DELIVERY MODE

08/28/2009

PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary	Application No. 10/570,739	Applicant(s) HAMA ET AL.
	Examiner Elizabeth Robinson	Art Unit 1794

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 29 June 2009.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 5-8 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 5-8 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☒ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____ |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

The text of those sections of Title 35, U.S. Code not included in this action can be found in a prior Office action.

Claims 5-8 are currently pending.

Continued Examination Under 37 CFR 1.114

A request for continued examination under 37 CFR 1.114, including the fee set forth in 37 CFR 1.17(e), was filed in this application after final rejection. Since this application is eligible for continued examination under 37 CFR 1.114, and the fee set forth in 37 CFR 1.17(e) has been timely paid, the finality of the previous Office action has been withdrawn pursuant to 37 CFR 1.114. Applicant's submission filed on June 29, 2009 has been entered.

Specification

Applicant is reminded of the proper language and format for an abstract of the disclosure.

The abstract should be in narrative form and generally limited to a single paragraph on a separate sheet within the range of 50 to 150 words. It is important that the abstract not exceed 150 words in length since the space provided for the abstract on the computer tape used by the printer is limited. The form and legal phraseology often used in patent claims, such as "means" and "said," should be avoided. The abstract should describe the disclosure sufficiently to assist readers in deciding whether there is a need for consulting the full patent text for details.

The language should be clear and concise and should not repeat information given in the title. It should avoid using phrases which can be implied, such as, "The disclosure concerns," "The disclosure defined by this invention," "The disclosure describes," etc.

The abstract is more than 150 words in length.

Claim Rejections - 35 USC § 103

Claim 5 is rejected under 35 U.S.C. 103(a) as being unpatentable over Handforth (US 4,402,262) in view of Miyabayashi et al. (US 6,271,285).

Handforth (Column 2, lines 7 through 25) teaches an aqueous printing ink composition comprised of two polymers (A and B) and a pigment on a substrate. The substrate can be paper (Column 3, lines 43 through 51). When the substrate is paper, the primary polymer A can be a methyl methacrylate (an acrylic resin) (Column 4, lines 45 through 58). Polymer B can be a polyurethane-containing resin (urethane resin) (Column 3, lines 56 through 60). The pigment can be a pearlescent pigment, which the Examiner is considering to be a scaly foil of a bright pigment (Column 9, lines 1 through 10). The ink can also comprise a secondary polymer B which can serve as a pigment or polymer dispersant (Column 3, lines 19-23). The other polymers suitable for use as polymer B include proteins (Column 3, lines 56-60).

Handforth is silent as to the particular dispersant and that the protein is casein.

Miyabayashi (Column 8, lines 1-13) teaches preferred polymeric pigment dispersants that are commonly used in aqueous inks. These dispersants include naturally occurring polymeric proteins such as casein.

It would be obvious to one of ordinary skill in the art to use the preferred, commonly used casein dispersant of Miyabayashi, as the pigment dispersant of Handforth, in order to have a specific protein pigment dispersant that is effective and commonly used in aqueous ink compositions.

Claims 6-8 are rejected under 35 U.S.C. 103(a) as being unpatentable over Handforth (US 4,402,262) in view of Miyabayashi et al. (US 6,271,285) as applied to claim 5 above, and further in view of Schnee et al. (US 3,936,547).

As stated above, Handforth, using the pigment dispersant of Miyabayashi, teaches a decorative paper that meets the limitations of claim 5. Handforth (Column 3, lines 3 through 12) further teaches that the urethane component in the ink binder is an adhesion promoter in an aqueous composition.

Handforth does not teach impregnating the paper with a resin and curing.

Schnee (Column 1, lines 40 through 43) teaches a process for impregnating paper with a melamine resin solution and then drying (curing). Melamines are thermoset resins. Schnee (Column 2, lines 58 through 65) further teaches that the impregnated paper can be a decorative paper. The melamine impregnation solution contains water or water-miscible solvents, in order to easily and deeply impregnate the paper substrate (Column 2, lines 1 through 7). The melamine resin films have good elasticity, water-resistance and lacquer adhesion (Column 1, lines 37-40).

It would be obvious to one of ordinary skill in the art to use the decorative paper of Handforth, as the decorative paper to be impregnated by the melamine resin of Schnee, because the urethane binder would maintain adhesion of the ink in the aqueous melamine resin and the method of Schnee would produce a decorative paper with good elasticity, water-resistance and adhesion.

Response to Arguments

Applicant's arguments filed June 29, 2009 have been fully considered.

Regarding Applicant's arguments over the previously pending claims, these arguments are moot in light of new grounds of rejection. The previously pending claims have all been cancelled and all claims currently pending require casein in the bright ink layer, which was not previously claimed.

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Elizabeth Robinson whose telephone number is (571)272-7129. The examiner can normally be reached on Monday- Friday 8 AM to 4:30 PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Callie Shosho can be reached on 571-272-1123. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Art Unit: 1794

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/E. R./
Elizabeth Robinson
Examiner, Art Unit 1794

August 24, 2009

/Callie E. Shosho/
Supervisory Patent Examiner, Art Unit 1794